

Notice of Requirement Taupō District Council

48 Whakamoenga Point, Taupō

Whakamoenga Point: Water Supply

27 February, 2025



Planz Consultants

Quality Assurance Statement:

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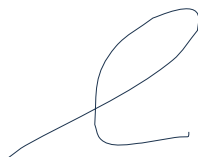
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NOTICE OF REQUIREMENT FOR DESIGNATION PURSUANT TO S168 OF THE RESOURCE MANAGEMENT ACT 1991

1 Introduction

Pursuant to s168 of the Resource Management Act (**the Act / RMA**), Taupō District Council hereby gives notice of its requirement (**Notice**) for a new designation in the Taupō District Plan for the operation and maintenance of Water Treatment Plant (**WTP**) and associated infrastructure as described below. The designation will enable the infrastructure and facilities as associated with the existing WTP.

Taupō District Council, as a local authority, is an approved requiring authority under s166 of the RMA. The designation is required to facilitate the ongoing maintenance works associated with water supply and treatment to the Whakamoenga Point Community.

2 Description of the site to which this notice applies

The proposed site to which this notice applies is at 48 Whakamoenga Point, Acacia Bay. The property is legally described as Lot 48 DPS 56566 with a total area of 286m². The site has no Record of Title.

The Notice relates to the land described above as containing pre-existing WTP facilities being two timber reservoirs each with a storage volume of 125m³. The WTP serves some 53 properties as associated with the settlement as was established in 1992. Water to the reservoirs is abstracted directly from Lake Taupō adjacent to the boat ramp at Whakamoenga Point. It is pumped to a reservoir where treatment consist of chlorine disinfection. Treated water is then gravity fed from the storage tank to Whakamoenga Point residents. The Notice relates only to the spatial extent including the existing reservoirs.

The location (and details) of the site is shown in **Attachment A**, and a designation table in accordance with the format required by the National Planning Standards is provided as **Attachment B**.

The site is zoned General Rural Environment in the Taupō District Plan and is owned by the Taupō District Council. The Notice site is part of the broader 'Specific Requirement Area' as relating to the Whakamoenga Point development area. Whakamoenga Point is a private gated residential community situated at the end of Acacia Bay Road, with protections over the almost continuous mature tree and shrub cover, which is dominated by native species including lacebark, kanuka, five finger and kotukutuku which surround the existing building

platforms. The wider area is identified as Significant Natural Area No.59 in the Taupō District Plan¹. Immediately to the east of the site is overlain with SNA No.181².

The footprint associated with the existing reservoirs is located on a small flat terrace at circa 464 magl. The reservoir is located at almost at the top elevation of Whakamoenga Point settlement with the topography sloping downward to the southwest of the foreshore with Okuta Bay at 358magl. Those parts of the site not containing the timber reservoirs are unformed and absent of mature tree and shrub plantings.

Taupō District Plan overlays that relate to the site include:

- SNA No.181³
- Outstanding Landscape Area No.28 'Northwestern Bays Whakaroa Point to Otuparae Point'⁴.
- Specific Requirement Area - Whakamoenga Point.

The nearest dwelling is located some 20m to the south, although the intervening area is extensively forested which obscures views of the Notice site. Similarly, the extent of native vegetation present in conjunction with topography obscures public views of the Notice site.

Access is via Whakamoenga Point, via Acacia Bay Road.

The property is not identified on a Hazardous Activities and Industrial List as being a contaminated site.

¹ Taupō District Plan. Chapter 7 – Schedule of Sites. SNA No.59 Okuta Bay Bush

² Taupō District Plan. Chapter 7 – Schedule of Sites. SNA No. 181 Rangitira Point Scenic Reserve. It is noted that there appears to be an alignment error which overlays SNA No.181 over that part of the site which contains the timber reservoirs.

³ Noting the alignment matter as above.

⁴ Taupō District Plan. Chapter 7 – OLA No.28 '*Forms a complex formation of headlands and bays from Otuparae Point south to Whakaroa Point including Whakaipo Bay*'.

Figure 1: NoR and surrounds (modified from Taupō District Plan)



3 Nature of the proposed works

This Notice relates to a new designation for the **purpose** of the operation and maintenance of infrastructure for water supply.

This allows for the continuing operation and upgrade of the existing WTP, being the reservoir and ancillary activities.

Upgrades for the site as identified in the Long-Term Plan for 2027 / 2028 include the replacement of the existing timber reservoirs with two new concrete or steel reservoirs with a combined volume of 300m³ capacity.

The designation is necessary to continue to provide water treatment and supply to the Whakamoenga Point community and provide additional capacity to meet demand as programmed for 2027/2028.

4 Assessment of Effects

The designation allows for continued operation and maintenance of the existing WTP. The effects associated with the operational and maintenance of the site are described below.

4.1 Construction effects

Following the designation of this site, the effects of the upgrade to replace the existing timber reservoirs with two concrete reservoirs will be able to be considered through an Outline Plan process.

The Outline Plan process as subject to the requirements of s176A will manage residual environment effects including those associated with erosion and sediment control and construction traffic, once detailed planning and design has been undertaken. However, given: the scale of the site; likely relatively temporary works timeframe; the existing separation distance to sensitive receivers; and intervening landscaping it is not considered that the works would necessitate additional conditions on these matters as associated with Construction activities to be affixed to the designation.

In terms of the potential for indigenous vegetation clearance, it is unlikely that the removal and replacement of the existing timber reservoirs with two larger reservoirs will require the removal of any established indigenous vegetation. However, given the nature of the adjoining Significant Natural Areas (Area No's 59 and 181⁵), a condition associated with requiring assessment from a qualified ecologist is provided to the Notice to ensure that should established and mature trees be cleared for the purpose of replacing the existing reservoirs that mitigation is identified and implemented within the s176A Outline Plan application. It is noted ⁶that the Taupō District Plan permits the modest clearance of indigenous vegetation within notated SNAs as subject to criteria.

At the cessation of construction activities, the structures and operations will return to be largely inert.

4.2 Operational effects

The operation of WTP generally involves regular inspections to check treatment equipment and periodic visits to take water samples. The frequency of sampling is relatively infrequent given the Whakamoenga population base and the volume of water storage. Treatment chemicals, where required, will be replenished from chemicals brought onto the site.

There is no other material effects associated with the operation of the site.

⁵ Conservatively assumes that the western part of the site which is notated as SNA No.181 is not a mapping error, despite containing the reservoirs.

⁶ Taupō District Plan. Rule 4e.6.1 'Natural Values'.

5 Statutory considerations

Section 171(1) of the RMA sets out that when considering a Notice, a Territorial Authority must, as subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to matters s171(a) – (d), as are considered below.

5.1 Section 171(1)(a) Relevant provisions

For completeness, s171(1)(a) requires consideration having regard to –

a) any relevant provisions of—

(i) a national policy statement:

(ii) a New Zealand coastal policy statement:

(iii) a regional policy statement or proposed regional policy statement:

(iv) a plan or proposed plan; and

National Policy Statements (NPS)

The Notice site is not classified as Highly Productive Land under clause 3.5(7) the NPS-Highly Productive Land. The Land Use Classification for the site is Land Use Capability Class 6⁷.

In the event that SNA No.181 traverses the site⁸, provisions in the NPS-Indigenous Biodiversity are relevant. Clause 3.10(2) sets out those matters that are to be considered as adverse effects on identified SNAs that are to be avoided, clause 3.10(3) requires that all other adverse effects are to be managed by applying the effects management hierarchy. It is considered that clause 3.11 applies to the WTP as ‘specified infrastructure’ as identified as Regionally Significant Infrastructure in the Waikato Regional Policy Statement⁹. It is considered that clause 3(11)(1)(a), (b) and (c) would be achieved as appropriate. The recommended Condition affixed to the designation would ensure upon the removal of any established indigenous vegetation that the effects hierarchy would be applied as appropriate.

There are no other implications in terms of the requirements of the NPSs to the designation.

National Environment Standards (NES)

The NES for Sources of Human Drinking Water Regulations 2007 sets requirements for protecting sources of human drinking water from becoming contaminated. It is considered that the proposed Notice is consistent with that purpose, providing for the management and treatment of water supply to the Whakamoenga community.

⁷ <https://waikatomaps.waikatoregion.govt.nz/Viewer/?map=3e5673e57fa24e89a30e54b7fb8511d5>

⁸ Noting likely mapping alignment error.

⁹ Waikato Regional Policy Statement. Interpretation. Regionally Significant Infrastructure includes: (i) ‘municipal wastewater treatment plants, water supply treatment plants and bulk water supply, wastewater conveyance and storage systems, municipal supply dams (including Mangatangi and Mangatawhiri water supply dams) and ancillary infrastructure;...’

Waikato Regional Policy Statement (WRPS)

Part 3 – Topic EIT Energy, Infrastructure and Transport relates to the integration of land use planning with infrastructure.

Policy EIT-P1 seeks that the built environment is managed having particular regard to the ensuring that the effectiveness and efficiency of existing and planning regionally significant infrastructure is protected.

Part 3 – Topic Urban Form and development relates to co-ordinating growth and infrastructure, including **Policy UFD-P2** which seeks that *‘the efficient and effective functioning of infrastructure ... is maintained, and the ability to maintain and upgrade that infrastructure is retained’*.

This Notice is considered to be consistent with the WRPS objectives and policies, specifically IM-O1(4), EIT-P1 and UFD-P2.

The recommended Ecology condition affixed to the Notice would ensure through any Outline Plan lodged pursuant to s176A of the Act would consider and manage any significant adverse effects on ecological values. Accordingly, the requirements of **Policy ECO-P1** which requires that indigenous biodiversity is maintained and enhanced would be achieved.

The designation of this site will enable the effective continued operation of the water supply and treatment network to provide for the social and economic wellbeing of the Whakamoenga Point community.

Waikato Regional Plan

Made operative in September 2007, the Waikato Regional Plan does not contain explicit provisions relating to water treatment infrastructure assets, albeit **Objective 3.1.2(p)** recognises the management of water bodies in a way:

(p) that the positive effects of water resource use activities¹⁰ and associated existing lawfully established infrastructure are recognised, whilst avoiding, remedying or mitigating adverse effects on the environment.

Taupō District Plan

The Taupō District Plan recognises water treatment plants as Regionally Significant Infrastructure¹¹.

Strategic Objectives in the Taupō District Plan seek that the district develops in a cohesive, compact and structured way, including that ensuring infrastructure is efficiently and effectively integrated with land use (**Objective 2.3.2.1**).

Strategic Objective 2.5.2.1 seeks that:

¹⁰ Including Community Water Supply. Principal Reasons Objective 3.1.2

¹¹ Taupō District Plan. Chapter 10 Definitions.

The wider benefits and strategic importance of Nationally and Regionally Significant Infrastructure, to the District and wider, are recognised in decision making and land use planning.

Associated Policies 2.5.3.4 and 2.5.3.5 seek:

Planning and development of national and regional infrastructure will consider the needs and the well-being of current and future communities.

Recognise that national and regional infrastructure can have important environmental, economic, cultural and social effects.

The Taupō District Plan seeks (**Objective 3n.2.1**) to enable the operation, maintenance and upgrading of network utilities (which extends to networks for the transmission and distribution of water which would extend to WTP), which ensure that network utilities are designed and located to manage adverse effects on the environment and protect the health and safety of the community (**Objective 3n.2.2**). A specific policy (**Policy 3n.2.1(iii)**) requires regard be had to the contribution of network utilities to the functioning and wellbeing of the community.

The ecological values, where these exist on the site would be addressed through Conditions affixed to this Notice. Accordingly, the Notice would be consistent with **Objective 3i.2.1** and associated policies which seek the *protection of SNAs from more than minor adverse effects of indigenous vegetation clearance*.

The proposed designation site has been in operation for a number of years and is located on land owned by the Taupō District Council. The site is located some distance from the nearest sensitive residential dwelling in Omari village to the east and is not generally publicly visible. Operations at the WTP are largely inert.

5.2 Section 171(1)(b) Adequate consideration given to alternatives

For completeness, s171(1)(b) requires consideration having regard to –

(b) whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if—

(i) the requiring authority does not have an interest in the land sufficient for undertaking the work; or

(ii) it is likely that the work will have a significant adverse effect on the environment; and

Taupō District Council as owner of the site has financial interest in the site. In addition, it is not considered that the works associated with the designation will have significant adverse effects on the environment.

The site has been operating as a community WTP for a number of years.

In conclusion, no consideration of alternative sites has been given, and the effects of continued operation and maintenance will be negligible, and proposed upgrade to the reservoirs will be able to be appropriately managed as pursuant to s176A.

5.3 Section 171(1)(c) reasonably necessary

Section 171(1)(c) requires consideration having regard to whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought.

It is considered that the new designation, as a planning tool, is appropriate to allow the Taupō District Council, as Requiring Authority, to appropriately manage and control its asset to ensure a safe and secure water treatment network is supplied for the Whakamoenga Point Community.

The alternative, as is the existing status quo is continued reliance on the Taupō District Plan rules and / or the resource consent process. It is considered that these options do not provide certainty or a long-term solution to effectively and efficiently address the ongoing use and maintenance of the water treatment facility. The designation is also necessary to include all of the Taupō District Council's wider network of water and wastewater infrastructure under the designation mechanism umbrella in the Taupō District Plan.

5.4 Section 171(1)(d) 'any other matter'

Improving resilience and reducing environmental impacts through appropriate maintenance and upgrades of infrastructure associated with WTP Infrastructure is a primary objective of the NoR.

The Notice and associated works will assist the Taupō District Council in terms of managing the effects of water treatment.

6 Consultation

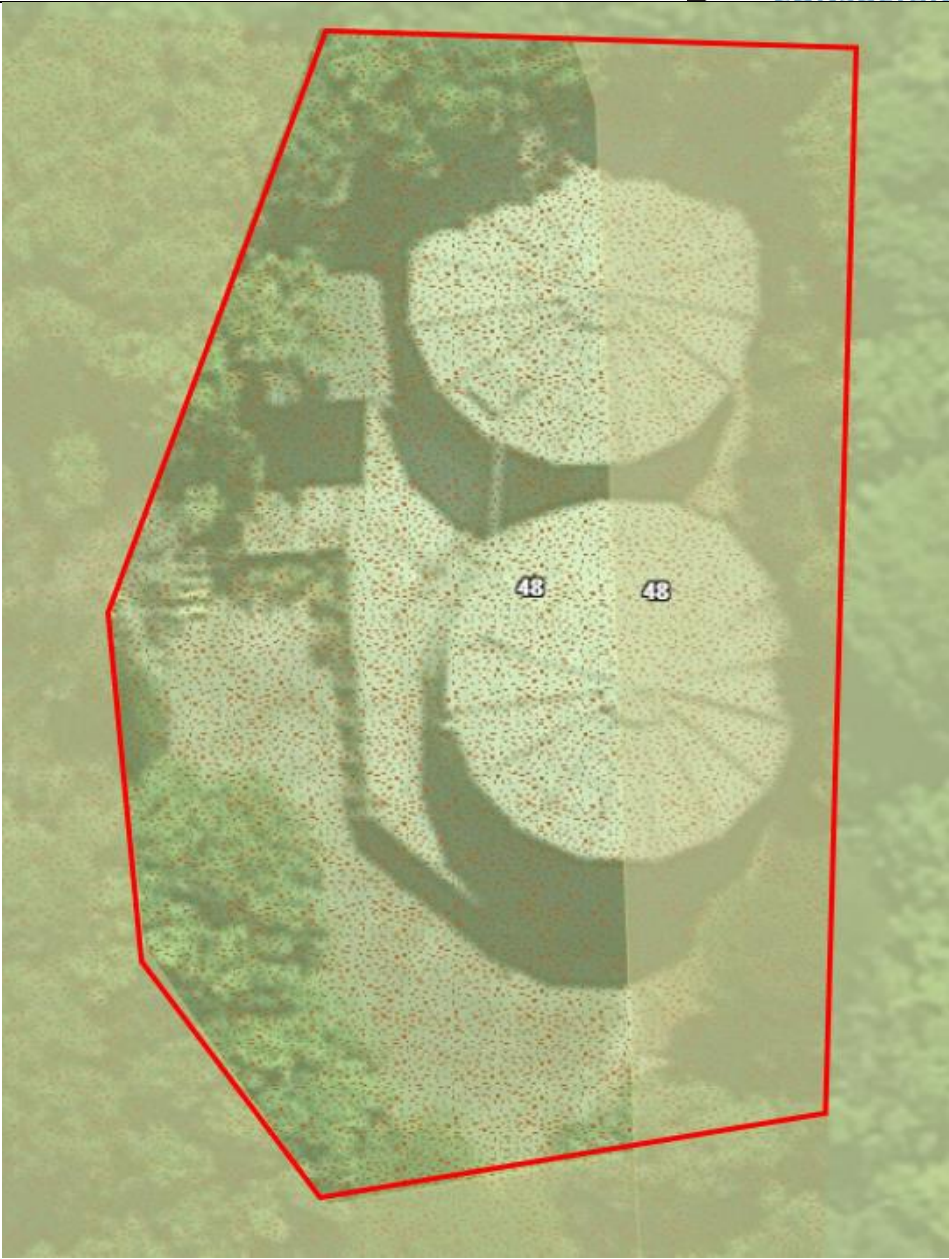
No consultation has been undertaken or is considered necessary.

7 Conclusion

Taupō District Council gives notice of its requirement to designate land related to an existing WTP. The preceding assessment of effects concludes that the effects associated with the maintenance and operation of the facility will be minimal, and any upgrades able to be appropriately managed by way of s176A. Overall, it is concluded that the designation is consistent with the relevant statutory provisions and the principles and purpose of the RMA.

Attachment A: Whakamoenga Point WTP (48 Whakamoenga Point, Acacia Bay)

Designation	Detail
Legal Description	Lot 48 DPS 56566
Site Address	48 Whakamoenga Point, Acacia Bay
Landowner	Taupō District Council
Purpose of the Site	Operation, maintenance and upgrade of infrastructure for water treatment purposes.
Area of Designation	286m ² 

Site Plan (Existing)	
Site Plan (Proposed)	Replace timber reservoirs (2 x 125m³) with two concrete or steel reservoirs with a combined capacity of 300m³.
Description of the activity	The following provides a description of the works and environment using s176A(3) as a basis. Consideration against the requirements of s171(1) is provided in the main report. General: Operating Water Treatment Plant <i>The height, shape, and bulk of the public work, project, or work:</i>

	The site incorporates two water reservoirs of 125m³ respectively. The existing tank(s) height is circa 4m. The new reservoirs will likely be between 4m and 8m in height. Access to the site is via the internal Whakamoenga Road private network which connects to Acacia Bay Road. <i>The location on the site of the public work, project or work:</i> The site is located at the northwestern corner of Whakamoenga Point settlement as elevated above the residential dwellings. Whakamoenga Point settlement is located some 4km south of Acacia Bay village. <i>The likely finished contour of the site:</i> The contour will likely remain unchanged, although additional earthworks will be required as associated with reservoir renewal. Erosion and sediment control will be able to be adequately managed by way of s176A of the Act. <i>Vehicular access, circulation and the provision for parking:</i> Access is provided by internal Whakamoenga Road private network. Activities as associated with the operations of the WTP will not generate material vehicle trips on the network. <i>The landscaping proposed:</i> No additional landscaping is required. The site contour, topography and existing landscaping obscure the proposed Notice from public view and neighbouring properties. <i>Any other matters to avoid, remedy or mitigate adverse effects on the environment:</i> The operational characteristics of the WTP are benign. Any construction related effects can be managed pursuant to the s176A process once detailed design and construction timetables as associated with the renewals is understood. The only matter requiring further consideration by way of condition relates to managing and mitigating effects on indigenous biodiversity should the replacement reservoirs required clearance of any indigenous vegetation. That condition is affixed to the designation.
Established / Upgraded	The WTP is pre-existing.

Relevant Resource Consents	No
Recommended Conditions	No
Zoning and Overlays	Zone: General Rural Environment Overlays: • SNA No.181 • Outstanding Landscape Area No.28 'Northwestern Bays Whakaroa Point to Otuparae Point. • Specific Requirement Area - Whakamoenga Point.

Attachment B: Designation Table

Whakamoenga Point Water Treatment Facility	
Designation unique identifier	TDCXX
Designation Purpose	Water Treatment Facility
Site Identifier	48 Whakamoenga Point, Acacia Bay
Lapse Date	Given effect to
Designation hierarchy under s177 of the Resource Management Act	Primary
Conditions	Ecology 1. Identification, and implementation, of management responses to avoid or mitigate the adverse effects on natural values, including those matters identified in the NPS-Indigenous Biodiversity (2024) Clause 3.10(2), associated with the removal of indigenous vegetation where the vegetation to be cleared: (a) exceeds 3 metres in height; and (b) exceeds 1% of the site; for the purpose of providing access or for the renewal of buildings associated with reservoir replacement.
Additional information	n/a